

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable James F. Thaxter, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

F026200 People v. Sanchez

Cause called and argued by Marilyn Burkhardt, Esq., counsel for appellant and by Susan J. Orton, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until 1:45 P.M.

The court reconvened in its courtroom at 1:45 P.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable James F. Thaxter, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F028228 People v. Aleman

Cause called and argued by Robert Navarro, Esq., counsel for appellant. Jeffrey D. Firestone, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Stone (W.A.), Acting P.J. directs Dibiaso, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Wiseman, J.

F026377 Olson v. Olson

Cause called and argued by M.J. Hamilton, Esq., Deputy Attorney General, counsel for appellant and by Bruce B. Sousa, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, January 12, 1999 at 10:00 A.M.

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F029761 People v. Bettincourt

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F028474 People v. Pratt

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F031875 People v. Escobar

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F028154 People v. Gann, Jr.

The judgment is affirmed. Wiseman, J.

We concur: Ardaiz, P.J.; Dibiaso, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F026219 Cerda v. Memorial Hospital Association, et al.

The judgment is affirmed. Harris, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029043 Nunez v. Workers Compensation Insurance Appeals Board; Cruz, et al.

The Appeals Board's opinion and decision after reconsideration is annulled and the matter is remanded to the Appeals Board to determine whether to exercise its discretion to seek additional evidence and to render a new decision consistent with the views expressed in this opinion. Vartabedian, J.

We concur: Ardaiz, P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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- F029889** **In re John E., a Minor**
The judgment is affirmed with modifications.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F029425** **Culberson, et al. v. Delmarter, et al.**
The judgment is affirmed. Stone (W.A.), Acting P.J.
We concur: Thaxter, J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]